

June 7, 2006

MINUTES OF A REGULAR MEETING OF THE TORRANCE PLANNING COMMISSION

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:02 p.m. on Wednesday, June 7, 2006, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Drevno.

3. ROLL CALL

Present: Commissioners Browning, Busch, Drevno, Gibson, Horwich, and Vice Chair Faulk.

Absent: Chairperson Uchima.

Also Present: Planning Manager Lodan, Planning Associate Santana, Deputy City Attorney Whitham, Plans Examiner Nishioka, Fire Marshal Kazandjian, and Associate Civil Engineer Symons.

MOTION: Commissioner Browning, seconded by Commissioner Drevno, moved to grant Chairperson Uchima an excused absence from this meeting; voice vote reflected unanimous approval.

4. POSTING OF THE AGENDA

MOTION: Commissioner Horwich, seconded by Commissioner Drevno, moved to accept and file the report of the secretary on the posting of the agenda for this meeting; voice vote reflected unanimous approval.

5. APPROVAL OF MINUTES

MOTION: Commissioner Browning moved for the approval of the May 3, 2006 Planning Commission minutes as submitted. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote, with Commissioner Gibson abstaining (absent Chairperson Uchima).

MOTION: Commissioner Horwich moved for the approval of the May 10, 2006 General Plan Workshop minutes as submitted. The motion was seconded by Commissioner Drevno and passed by unanimous roll call vote, with Commissioner Gibson abstaining (absent Chairperson Uchima).

6. REQUESTS FOR POSTPONEMENT

Planning Manager Lodan relayed requests to continue Agenda Item 8A (PCR06-00004, WAV06-00003: Kamaren Hensen) and Agenda Item 10C (CUP06-00010, TTM66754: 23015 Samuel LLC) to June 21, 2006.

MOTION: Commissioner Horwich moved to continue Agenda Item 8A to June 21, 2006. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Chairperson Uchima).

MOTION: Commissioner Browning moved to continue Agenda Item 10C to June 21, 2006. The motion was seconded by Commissioner Drevno and passed by unanimous roll call vote (absent Chairperson Uchima).

Deputy City Attorney Whitham noted that the hearings would not be re-advertised as they were continued to a date certain.

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Vice Chair Faulk reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

7. TIME EXTENSIONS – None.

8. CONTINUED HEARINGS

8A. PCR06-00004, WAV06-00003: KAMAREN HENSON

Planning Commission consideration of a Planning Commission Review to allow the construction of a new unit and an open parking space in conjunction with a Waiver to allow less than the required side yard setback on property located in the Small Lot-Low Medium Overlay District in the R-2 Zone at 1804 Andreo Avenue.

Continued to June 21, 2006.

8B. PRE06-00006, WAV06-00006: JOHN AND SHARI BUKOWSKI

Planning Commission consideration of a Precise Plan of Development to allow the construction of first and second-story additions to an existing one-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 5117 Carol Drive.

Recommendation

Approval.

Planning Associate Santana introduced the request.

Shari Bukowski, applicant, voiced her agreement with the recommended conditions of approval.

Don Ikeda, owner of the property at 5111 Carol Drive, stated that he had the following four objections to the project: 1) He was never notified about the proposed construction; 2) He was opposed to the Waiver of the side yard setback requirement because it would move living quarters closer to the bedroom on the west side of his property; 3) He objected to the blocking of the view of St. Lawrence Church from a bedroom window; and 4) He objected to any new windows that would compromise the current level of privacy. He noted that his tenant recently installed an above-ground Jacuzzi and expressed concerns that the proposed addition would take away his privacy.

Commissioner Browning noted a discrepancy in the plans regarding the second-floor bedroom on the west side of the house, with the plans showing one window and the west elevation showing two windows.

Ms. Bukowski reported that there would be only one window on the west side of the bedroom, explaining that the plans were modified but the architect neglected to make the change on the west elevation.

Planning Manager Lodan provided clarification regarding the size of the window and the sill height and indicated that staff was aware of this modification.

MOTION: Commissioner Drevno, seconded by Commissioner Gibson, moved to close the public hearing; voice vote reflected unanimous approval.

Referring to Mr. Ikeda's concern about not being notified, Commissioner Horwich noted that this hearing was delayed for two weeks in response to an e-mail received from Mr. Ikeda on May 16 so the lack of notification was no longer an issue. Voicing support for the project, he reported that he visited Mr. Ikeda's property and could not see St. Lawrence Church and indicated that he had no objections to the Waiver.

MOTION: Vice Chair Faulk moved for the approval of PRE06-00006 and WAV06-00006, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Horwich and passed by a 51 roll call vote, with Commissioner Busch dissenting (absent Chairperson Uchima).

Planning Associate Santana read aloud the number and title of Planning Commission Resolution Nos. 06-065 and 06-066.

MOTION: Vice Chair Faulk moved for the adoption of Planning Commission Resolution No. 06-065. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Uchima).

MOTION: Vice Chair Faulk moved for the adoption of Planning Commission Resolution No. 06-066. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Chairperson Uchima).

8C. PRE06-00008, PRE06-00009: JEFFREY DAHL

Planning Commission consideration of two Precise Plans of Development in conjunction with the demolition of an existing single-family residence located on a parcel of land consisting of two existing lots, and the development of a new two-story, single-family residence on each lot on property located in the Hillside Overlay District in the R-1 Zone at 3874 Newton Street.

Recommendation

Approval.

Planning Assistant Santana introduced the request and noted supplemental material available at the meeting consisting of correspondence and a petition submitted subsequent to the completion of the agenda item.

Vice Chair Faulk announced that he would not be participating in the hearing due to a past relationship with some of the people involved and exited the dais.

(Commissioner Horwich chaired this portion of the meeting.)

Jeffrey Dahl, project architect, stated that the applicants, Steve and Deidre Nordel, purchased the subject property eight years ago with the intention of building two new homes on it and while it's always a shock to neighbors when one home is replaced with two, they have a legal right to do so as the site is comprised of two separate lots. He briefly described the proposed project, explaining that every effort was made to minimize the impact on adjacent neighbors. He reported that he met with neighbors to the south and tried to address their privacy concerns by shifting the second-floor master bedroom to the north to provide a greater separation and noted that the only window facing their house will be constructed of obscured glass. He indicated that there was a privacy issue with regard to a second-floor deck, so the height of the guardrail was increased from 3 to 6 feet. He offered his assurance that existing mature trees would be retained wherever possible. Noting that the project complies with all development standards, he suggested that there may be individuals who will not be pleased under any circumstances and urged approval of the project as submitted.

Submitting a photographs to illustrate, Jane Aull, 3908 Newton Street, stated that her main concern was the loss of vegetation, specifically a large tree on the west side of the property. She reported that she has seen over 30 trees removed within 400 yards of her property to facilitate development and expressed concerns about the impact the loss of trees is having on the beauty of Torrance.

Gary Hart, 3868 Newton Street, confirmed that he had met with the architect, but indicated that he still had concerns about the project, which he detailed in his letter dated June 5, 2006 (of record). He briefly reviewed the contents of the letter, explaining that he was concerned about the stability of the hillside because the earth has a history of shifting in this area and that he believes the proposed project violates the Hillside Overlay Ordinance because it would adversely impact his view, light, air and privacy, because it exceeds height and lot coverage guidelines, and because it includes rooftop decks, which are not allowed in the Hillside Overlay District. He contended that the proposed development was out of harmony with the neighborhood and an example of

“mansionization” and expressed concerns about the project’s impact on his privacy should existing vegetation be removed. He called for the elimination of the basement and the rooftop deck, a reduction in the height of the project, and the retention of mature trees.

Deputy City Attorney Whitham clarified that rooftop decks are not prohibited in the Hillside Overlay District, however, they do require a Precise Plan of Development, which must be approved by the Planning Commission.

Lee Ann Hart, 3868 Newton Street, voiced her opinion that the proposed project violates the spirit of the Hillside Overlay Ordinance and asked that it be scaled down so that it would be more in harmony with the neighborhood. She suggested that eliminating the rooftop decks would not create a hardship for the applicant as the plans include two other decks for each house and enlarged backyards.

In response to Commissioner Horwich’s inquiry, Plans Examiner Nishioka confirmed that the applicant will be required to submit a soils investigation report before the project goes forward in order to ensure that the stability of the hillside will not be threatened by the construction of the basement.

Submitting photographs to illustrate, Cheryl Gutierrez, 3869 Bluff Street, voiced objections to the proposed project, citing the impact on her view and privacy. She contended that the structures were too massive and too tall and not in harmony with the neighborhood. She also submitted additional signatures on a petition in opposition to the project (supplemental material).

Gina Stunkard, 3889 Bluff Street, requested that the structures be lowered further into the ground, explaining that the homes appear to be level with her home on the street above and would have a direct view into three bedrooms and a den.

Commissioner Browning noted that commissioners had not had an opportunity to evaluate the project’s impact on Ms. Stunkard’s residence because they were not aware of her concerns until this evening and the same is true of other neighbors whose letters are contained in the supplemental material.

Ms. Aull submitted additional photographs of trees on the subject property.

Returning to the podium, Mr. Dahl reported that neighbors directly behind the proposed project do not oppose it and questioned how it could block the view of other neighbors if it does not impact these properties. Disputing the claim that the homes are too tall, he stated that the ridgeline of the proposed homes are only slightly higher than the two-story home next door. He suggested that neighbors will have to get used to the fact that homes will start creeping forward as residents take advantage of the 22-foot right-of-way easement given back to property owners on Newton and contended that the large rear yard would help minimize the intrusion on privacy.

Commissioner Gibson questioned the need for the large basement.

Mr. Dahl explained that Mr. Nordel needs room for his woodworking shop and enlarging the garage is not feasible due to the way the City measures Floor Area Ratio. He confirmed that there would be a geological report.

Commissioner Gibson asked about saving the large tree Ms. Aull mentioned. Mr. Dahl explained that it was not feasible because the tree is located where the corner of the new building will be and the only way to save it would be to push the house back.

Commissioner Browning questioned why the railing was raised from 3 to 6 feet on the second-floor deck to protect privacy of the neighbors to the east but the same was not done for the roof deck, which is 9-10 feet higher.

Mr. Dahl explained that the roof deck is so far forward it will not impact the privacy of neighbors as it would overlook their rooftop.

Mr. Hart stated that the stairway leading from the lower deck to the rooftop deck would have a direct view into his backyard and he was concerned about the privacy impact.

In response to Commissioner Browning's inquiry, Mr. Dahl provided clarification regarding the existing accessory structure. He explained that the Nordels had hoped to save it, but it has to be demolished because it is built over the rear property line and the City does not allow this.

Ms. Guitierrez related her understanding that the accessory structure could remain if the Nordels would reduce the square footage of their home by 350 square feet. She noted that the Nordels' home as proposed consists of 4400 square feet, including the basement which has a bedroom and a bathroom, and questioned the need for the rooftop deck.

Mr. Dahl clarified that the home is actually about 3800 square feet including the basement.

Connie Budde, owner of 3883 and 3875 Bluff Street, reported that her father bought the property on Bluff along with the subject property in 1957 and subsequently divided it into three lots. She stated that she and her husband initially had some concerns about the project but they met with the Nordels and they were able to resolve them.

Steve Nordel, owner of the subject property, stated that he and his wife and three children have been living on the property since they purchased it eight years ago; that they have been working on designing their dream home for the past three years; and that they intend to live in the home and raise their family and want to keep peace in the neighborhood.

Commissioner Browning questioned whether the elderly neighbor to the west was being represented in this process.

Mr. Nordel indicated that he had not had contact with this neighbor.

Commissioner Busch asked if Mr. Nordel intends to rent the other house or put it up for sale. Mr. Nordel reported that he must sell the other house in order to afford the mortgage payments on his residence.

MOTION: Commissioner Drevno moved to close the public hearing. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Chairperson Uchima and Vice Chair Faulk).

Planning Associate Santana clarified that there would have to be a significant reduction in the size of the southeast residence and a shifting of the rear property line in order to preserve the existing accessory building. With regard to elderly neighbor to the west, he advised that he met with her son and went over the plans in detail.

Commissioner Busch questioned whether the accessory building has historical significance. Planning Associate Santana advised that the adobe building was built in the 1940s to house chinchillas. He related his understanding that the building is currently partitioned, with the Nordels using part of it for a workshop and the Buddes using part of it for storage.

Commissioner Horwich suggested the possibility of continuing the hearing so commissioners could visit the properties of those who have raised concerns about the project, as listed in the supplemental material.

Commissioner Browning indicated that he was not inclined to support the project and didn't feel it was necessary to look at it from other vantage points.

MOTION: Commissioner Busch moved to deny PRE06-00008 and PRE06-00009 without prejudice. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Chairperson Uchima and Vice Chair Faulk).

Commissioner Horwich suggested that any future plans address privacy issues.

The Commission recessed from 8:20 p.m. to 8:32 p.m., with Vice Chair Faulk returning to the dais.

9. **WAIVERS** – None.

10. **FORMAL HEARINGS**

10A. **PRE06-00013: MILES PRITZKAT (EUGENE KWON)**

Planning Commission consideration of a Precise Plan of Development to allow the construction of first and second-story additions to an existing one-story, single-family residence located in the Hillside Overlay District in the R-1 Zone at 210 Via El Toro.

Recommendation

Approval.

Planning Associate Santana introduced the request and noted supplemental material available at the meeting consisting of correspondence received subsequent to the completion of the agenda item.

Miles Pritzkat, project architect, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, explaining that the design was confined by the extreme pie-shaped lot, the rear slope and the existing pool at the northeast corner. He noted that the project has an FAR of .39 and a height of 23.67 feet, which is considerably under the maximum allowed and that the second-floor setbacks are larger than required to minimize the intrusion on privacy and allow more sunlight to adjacent properties. He reported that before designing the project, he and the property owner, Eugene Kwon, determined that neighbors to the rear at 523 Camino de Encanto do not currently have a view over the existing ridgeline, and decided to locate the mass of the addition in front of them in order to preserve view corridors at 515, 527 and 531 Camino de Encanto. He explained that a preliminary silhouette was erected in January and the Kwons met with several neighbors on Camino de Encanto to review the impact and view blockage did not seem to be an issue. Noting that the comprehensive silhouette has been in place since April 15, he stated that the petition had taken him by surprise because up until today only one neighbor had submitted a letter in opposition. He voiced his opinion that the proposed project was very reasonable and urged approval as submitted.

Patricia Roderick, 528 Camino de Encanto, stated that it was not uncommon for silhouettes to be erected and stay in place for months at a time, so she was not concerned about the project until she received the notice of this hearing. She reported that her residence has a view corridor between 527 and 523 Camino de Encanto, which would be blocked by the proposed project, and voiced objections to any project that would exceed the height of the existing roofline. She suggested that the Kwons should have known the limitations when they purchased the pie-shaped lot and that they might have to consider eliminating the existing pool in order to obtain the square footage they want.

Responding to questions from the Commission, Ms. Roderick reported that her single-story home was built in 1954 and the impacted view is a view of hills and a tip of the ocean from her living room and front yard.

Cameron Faber, 524 Camino de Encanto, voiced objections to the proposed project, stating that it would block a portion of the ocean view from his porch and driveway; that it would also affect his light and air; and that he believed it was an eyesore. He indicated that he purchased his home in 1989 and expressed concerns about the cumulative impact of massive additions.

Vice Chair Faulk questioned how the project could block light from Mr. Faber's home, which is some distance away, and Mr. Faber clarified that it would not shadow his property, but it would block the sky from view.

Ronald Smith, 527 Camino de Encanto, recalled that he did raise concerns about the view impact when he spoke to Kwons after the first silhouette was erected in January. He contended that the second story addition would greatly affect the view from his living room and dining room, as well as block sunlight from these rooms, and decrease the value of his property. He reported that he already lost a portion of his view to the south due to a roofline extension at 524 Paseo de la Playa and this project would block a substantial portion of his northerly view. He related his understanding that the pool on the subject property is fenced in for the safety of the children and suggested that the home could be enlarged on the first level by filling in the pool.

Gene Kusion, representing his mother Maria Kusion, owner of 523 Camino de Encanto, reported that his sister presently lives on the property and that he intends to move in within the next 30 days. He stated that 523 Camino de Encanto is the property most affected by the project and voiced objections to the addition of a second story, relating his understanding that it would span 167 feet and be 14 feet higher than the existing roofline. He contended that the project would have a very significant adverse impact on the view, light, air and privacy of his mother's home.

Submitting photographs to illustrate, including ones in which he filled in the silhouette, Mr. Kusion detailed his concerns about view impact. He maintained that the project would also have a detrimental impact on the views from 527, 524 and 528 Camino de Encanto, but the brunt of the impact would be on 523 Camino de Encanto where the loss would be at least 80% of the backyard sky view. He voiced his opinion that the proposed project was a monstrosity and should not be approved because there are alternatives to building a second story, such as filling in the pool. He commented on the recent election in which over-development was a major issue.

Vice Chair Faulk requested that Mr. Kusion confine his remarks to the project under consideration.

Mr. Kusion stated that he believed this project would be detrimental to the neighborhood as a whole and specifically to the property at 523 Camino de Encanto.

Commissioner Horwich noted that the staff report mentions that the second story would span 38 feet, not 167 feet as Mr. Kusion has represented and expressed concerns that the photographs submitted were inaccurate.

Mr. Kusion reported that he simply took photographs of the silhouette and filled it in to demonstrate the impact once the building has been constructed.

Jim Delurgio, 209 Via El Toro, stated that he strongly supports the project and believes it will be a significant improvement to the neighborhood. He noted that before the Kwons purchased the property, it was a rental inhabited by drug users, which was detrimental to home values and the safety of the community.

Alfredo Costa, 528 Paseo de la Playa, reported that he recently remodeled his property, but chose not to add a second floor and instead concentrated on the front and back yards. Submitting photographs to illustrate, he contended that the project would intrude on the privacy of his living room, bedroom and pool area.

Mr. Kusion invited commissioners to visit 523 Camino de Encanto so they could personally observe the impact.

Commissioner Browning stated that he had visited the Kusion residence, but his observations were somewhat different than the photographs submitted. He indicated, however, that he would like an opportunity to visit the properties listed on the petition in the supplemental material.

Mr. Pritzkat wanted to clarify that the new ridge height would be 6 feet higher than the existing ridge height, not 14 feet as mentioned by Mr. Kusion.

Commissioner Busch, echoed by Vice Chair Faulk, voiced support for a continuance.

MOTION: Commissioner Busch moved to continue the hearing to June 21, 2006. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Uchima).

Vice Chair Faulk announced that the hearing would not be re-advertised as it was continued to a date certain.

10B. DIV06-00007: CITY OF TORRANCE

Planning Commission consideration of a Division of Lot to allow a lot line adjustment between Lots 14 & 27, Block 3, Tract 15397 as a result of the sale and quitclaim of a portion of City property adjacent to property located in the Hillside Overlay District in the R-1 Zone at 5104 Zakon Road.

Recommendation

Approval.

Planning Associate Santana introduced the request.

Gary Rosiak, 5104 Zakon Road, explained that the lot line adjustment was necessary because he has purchased a 14-foot section of City land adjacent to his property in order to build an extension to his garage.

Commissioner Busch noted that he visited the property and supports the proposed Division of Lot.

MOTION: Commissioner Busch moved for the approval of DIV006-00007, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Chairperson Uchima).

Planning Associate Santana read aloud the number and title of Planning Commission Resolution No. 06-070.

MOTION: Commissioner Busch moved for the adoption of Planning Commission Resolution No. 06-070. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Chairperson Uchima).

10C. CUP06-00010, TTM66754: 23015 SAMUEL, LLC

Planning Commission consideration of a Conditional Use Permit to allow the construction of a 10-unit condominium project in conjunction with a Division of Lot for condominium purposes on property located in the R-3 Zone at 23015 Samuel Street.

Continued to June 21, 2006.

11. **RESOLUTIONS** – None.
12. **PUBLIC WORKSHOP ITEMS** – None.
13. **MISCELLANEOUS ITEMS** – None.
14. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS** – None.
15. **LIST OF TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Lodan reviewed the agenda for the Planning Commission meeting of June 21, 2006.

16. **ORAL COMMUNICATIONS**

16A. Steve Nordel, 3874 Newton Avenue, requested that the Commission reconsider the denial of PRE06-00008 and PRE06-00009, explaining that the opposition had taken him by surprise and he would like an opportunity to revise the project to address neighbors' concerns. He reported that he intended to discuss the project with everyone who had raised objections and to eliminate the rooftop decks because they seem to be a major source of contention.

MOTION: Commissioner Drevno moved to reconsider the denial of PRE06-00008 and PRE06-00009 on June 21, 2006. The motion was seconded by Commissioner Browning and passed by a 4-1 roll call vote, with Commissioner Horwich dissenting and Vice Chair Faulk abstaining (absent Chairperson Uchima).

Deputy City Attorney Whitham clarified that the Commission would not be considering the merits of the project at the June 21 hearing, but would be setting a date for future hearing.

Commissioner Gibson suggested that Mr. Nordel encourage his architect to adopt a more conciliatory tone.

16B. Commissioner Horwich requested an excused absence from the June 21 Commission meeting so he could attend his grandchild's graduation.

MOTION: Vice Chair Faulk, seconded by Commissioner Browning, so moved; roll call vote reflected unanimous approval.

17. **ADJOURNMENT**

At 9:25 p.m., the meeting was adjourned to Wednesday, June 21, 2006 at 7:00 p.m.

Approved as Submitted July 19, 2006 s/ Sue Herbers, City Clerk
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